

Lower Snake River Juvenile Salmon Migration Feasibility Report/ Environmental Impact Statement

APPENDIX K Real Estate

FEASIBILITY STUDY DOCUMENTATION

Document Title

Summary to the Lower Snake River Juvenile Salmon Migration Feasibility Report/Environmental Impact Statement

Lower Snake River Juvenile Salmon Migration Feasibility Report/Environmental Impact Statement

Appendix A	Anadromous Fish
Appendix B	Resident Fish
Appendix C	Water Quality
Appendix D	Natural River Drawdown Engineering
Appendix E	Existing Systems and Major System Improvements Engineering
Appendix F	Hydrology/Hydraulics and Sedimentation
Appendix G	Hydroregulations
Appendix H	Fluvial Geomorphology
Appendix I	Economics
Appendix J	Plan Formulation and Decision Analysis Model
Appendix K	Real Estate
Appendix L	Lower Snake River Mitigation History and Status
Appendix M	Fish and Wildlife Coordination Act Report
Appendix N	Cultural Resources
Appendix O	Public Outreach Program
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Appendix Q	Tribal Consultation/Coordination
Appendix R	Historical Perspectives
Appendix S	Snake River Maps
Appendix T	Biological Assessment
Appendix U	Clean Water Act, Section 404(b)(1) Evaluation

The documents listed above, as well as supporting technical reports and other study information, are available on our website at www.nww.usace.army.mil. Copies of these documents are also available for public review at various city, county, and regional libraries.

FOREWORD

This appendix is one part of the overall effort of the U.S. Army Corps of Engineers (Corps) to prepare the Lower Snake River Juvenile Salmon Migration Feasibility Report/Environmental Impact Statement (FR/EIS).

Please note that this document is a DRAFT appendix and is subject to change and/or revision based on information received through comments, hearings, workshops, etc. After the comment period ends and hearings conclude a Final FR/EIS with Appendices is planned.

The Corps has reached out to regional stakeholders (Federal agencies, tribes, states, local governmental entities, organizations, and individuals) during the development of the FR/EIS and appendices. This effort resulted in many of these regional stakeholders providing input, comments, and even drafting work products or portions of these documents. This regional input provided the Corps with an insight and perspective not found in previous processes. A great deal of this information was subsequently included in the Draft FR/EIS and Appendices, therefore, not all the opinions and/or findings herein may reflect the official policy or position of the Corps.

STUDY OVERVIEW

Purpose and Need

Between 1991 and 1997, due to declines in abundance, the National Marine Fisheries Service (NMFS) made the following listings of Snake River salmon or steelhead under the Endangered Species Act (ESA) as amended:

- sockeye salmon (listed as endangered in 1991)
- spring/summer chinook salmon (listed as threatened in 1992)
- fall chinook salmon (listed as threatened in 1992)
- steelhead (listed as threatened in 1997)

In 1995, NMFS issued a Biological Opinion on operations of the Federal Columbia River Power System. The Biological Opinion established measures to halt and reverse the declines of these listed species. This created the need to evaluate the feasibility, design, and engineering work for these measures.

The U.S. Army Corps of Engineers (Corps) implemented a study after NMFS's Biological Opinion in 1995 of alternatives associated with lower Snake River dams and reservoirs. This study was named the Lower Snake River Juvenile Salmon Migration Feasibility Study (Feasibility Study). The specific purpose and need of the Feasibility Study is to evaluate and screen structural alternatives that may increase survival of juvenile anadromous fish through the Lower Snake River Project (which includes the four lowermost dams operated by the Corps on the Snake River—Ice Harbor, Lower Monumental, Little Goose, and Lower Granite dams) and assist in their recovery.

Development of Alternatives

The Corps completed an interim report on the Feasibility Study in December 1996. The report evaluated the feasibility of drawdown to natural river levels, spillway crest, and other improvements to existing fish passage facilities. Based in part on a screening of actions conducted in the interim report, the study now focuses on four courses of action:

- Existing conditions (currently planned fish programs)
- System improvements with maximum collection and transport of juveniles (without major system improvements such as surface bypass collectors)
- System improvements with maximum collection and transport of juveniles (with major system improvements such as surface bypass collectors)
- Dam breaching or permanent drawdown to natural river levels for all reservoirs

The results of these evaluations are presented in the combined Feasibility Report (FR) and Environmental Impact Statement (EIS). The FR/EIS provides the support for recommendations that will be made regarding decisions on future actions on the Lower Snake River Project for passage of juvenile salmonids. This appendix is a part of the FR/EIS.

Geographic Scope

The geographic area covered by the FR/EIS generally encompasses the 140-mile long lower Snake River reach between Lewiston, Idaho and the Tri-Cities in Washington. The study area does slightly vary by resource area in the FR/EIS because the affected resources have widely varying spatial characteristics throughout the lower Snake River system. For example, socioeconomic effects of a permanent drawdown could be felt throughout the whole Columbia River Basin region with the most effects taking place in the counties of southwest Washington. In contrast, effects on vegetation along the reservoirs would be confined to much smaller areas.

Identification of Alternatives

Since 1995, numerous alternatives have been identified and evaluated. Over time, the alternatives have been assigned numbers and letters that serve as unique identifiers. However, different study groups have sometimes used slightly different numbering or lettering schemes and this has lead to some confusion when viewing all the work products prepared during this long period. The primary alternatives that are carried forward in the FR/EIS currently involve four major alternatives that were derived out of three major pathways. The four alternatives are:

Alternative Name	PATH ^{1/} Number	Corps Number	FR/EIS Number
Existing Conditions	A-1	A-1	1
Maximum Transport of Juvenile Salmon	A-2	A-2a	2
Major System Improvements	A-2'	A-2c	3
Dam Breaching	A-3	A-3a	4

^{1/} Plan for Analyzing and Testing Hypotheses

Summary of Alternatives

The **Existing Conditions Alternative** consists of continuing the fish passage facilities and project operations that were in place or under development at the time this Feasibility Study was initiated. The existing programs and plans underway would continue. Project operations, including all ancillary facilities such as fish hatcheries and Habitat Management Units (HMUs) under the Lower Snake River Fish and Wildlife Compensation Plan (Comp Plan), recreation facilities, power generation, navigation, and irrigation would remain the same unless modified through future actions. Adult and juvenile fish passage facilities would continue to operate.

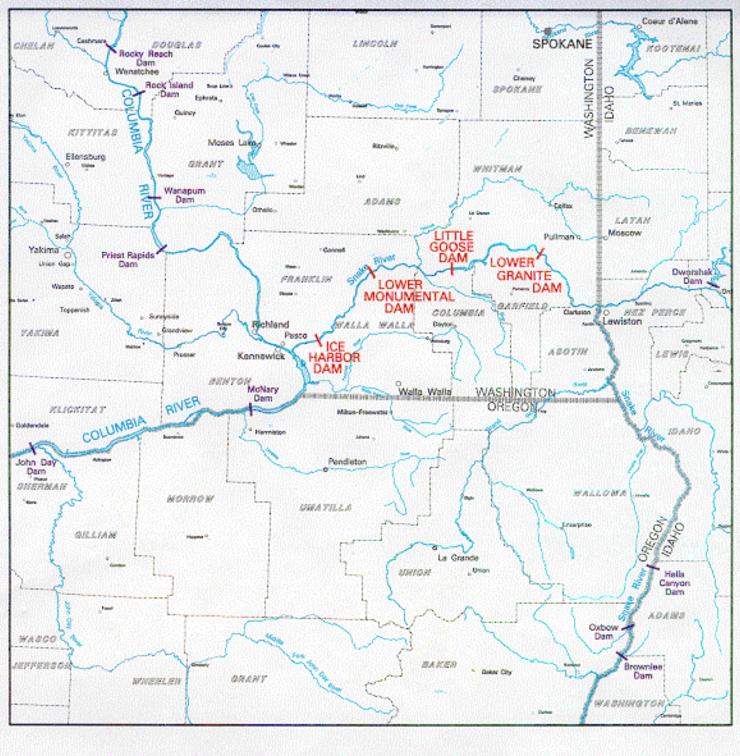
The Maximum Transport of Juvenile Salmon Alternative would include all of the existing or planned structural and operational configurations from the Existing Conditions Alternative. However, this alternative assumes that the juvenile fishway systems would be operated to maximize fish transport from Lower Granite, Little Goose, and Lower Monumental and that voluntary spill would not be used to bypass fish through the spillways (except at Ice Harbor). To accommodate this maximization of transport some measures would be taken to upgrade and improve fish handling facilities.

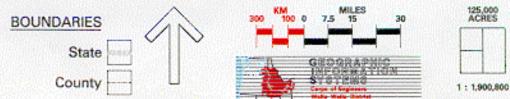
The **Major System Improvements Alternative** would provide additional improvements to what is considered under the Existing Conditions Alternative. These improvements would be focused on using surface bypass collection (SBC) facilities in conjunction with extended submersible bar screens (ESBS) and a behavioral guidance system (BGS). The intent of these facilities is to provide more effective diversion of juvenile fish away from the turbines. Under this alternative the number of fish collected and delivered to upgraded transportation facilities would be maximized at Lower Granite, the most upstream dam, where up to 90 percent of the fish would be collected and transported.

The **Dam Breaching Alternative** has been referred to as the "Drawdown Alternative" in many of the study groups since late 1996 and the resulting FR/EIS reports. These two terms essentially refer to the same set of actions. Because the term drawdown can refer to many types of drawdown, the term dam breaching was created to describe the action behind the alternative. The Dam Breaching Alternative would involve significant structural modifications at the four lower Snake River dams allowing the reservoirs to be drained and resulting in a free-flowing river that would remain unimpounded. Dam breaching would involve removing the earthen embankment sections of the four dams and then developing a channel around the powerhouses, spillways, and navigation locks. With dam breaching, the navigation locks would no longer be operational, and navigation for large commercial vessels would be eliminated. Some recreation facilities would close while others would be modified and new facilities could be built in the future. The operation and maintenance of fish hatcheries and HMUs would also change although the extent of change would probably be small and is not known at this time. Project development, design, and construction span a period of nine years. The first three to four years concentrate on the engineering and design processes. The embankments of the four dams are breached during two construction seasons at year 4-5 in the process. Construction work dealing with mitigation and restoration of various facilities adjacent to the reservoirs follows dam breaching for three to four years.

Authority

The four Corps dams of the lower Snake River were constructed and are operated and maintained under laws that may be grouped into three categories: 1) laws initially authorizing construction of the project, 2) laws specific to the project passed subsequent to construction, and 3) laws that generally apply to all Corps reservoirs.





DRAFT Lower Snake River
Juvenile Salmon Migration Feasibility Study

REGIONAL BASE MAP

ABSTRACT

The Real Estate Appendix K was prepared by the Walla Walla District Corps of Engineers Real Estate Division. It describes government projects referenced in the study area and evaluates the impacts, from a real estate perspective, that could occur if dam breaching were authorized.



Draft Lower Snake River Juvenile Salmon Migration Feasibility Report/ Environmental Impact Statement

Appendix K Real Estate

Prepared by U.S. Army Corps of Engineers Walla Walla District

Completed November 1999
Revised and released for review with
Draft FR/EIS
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ACRONYMS AND ABBREVIATIONS

Corps U.S. Army Corps of Engineers
EBS Environmental Baseline Study
GSA General Services Administration
HMU Habitat Management Unit

NMFS National Marine Fisheries Service

PPR Public Park and Recreation

Executive Summary

The Lower Snake River Project was authorized by the Rivers and Harbors Act of 1945 (Public law 79-14) on March 2, 1945, in accordance with House Document 704, 75th Congress, 3rd Session. That legislation enabled construction of the four lock and dam facilities that now create an inland waterway between Lewiston, Idaho and the Columbia-Snake River confluence near Pasco, Washington. The dams provide slackwater navigation, hydropower, recreation, and incidental irrigation.

Existing system and major system improvement alternatives are expected to have no change to baseline from a Real Estate perspective. Therefore, the primary focus of the Real Estate Analysis is to evaluate the natural river drawdown alternatives, and make recommendations based upon the decommissioning of the four lower Snake River dams. Alternative drawdown measures involving either dam retention or full facility removal would have negligible effects on the Government real estate for the purposes of the feasibility study. A summary of acreages for ;the four dam sites is shown in Table ES-1.

Although Corps-managed lands would no longer be required for commercial navigation or hydropower, a significant portion would be needed to meet other existing or newly authorized purposes. For example, significant acreage is leased to state and local governments and private entities for recreation and fish and wildlife management. It is expected that many of these lessees would choose to continue their operations under the same or modified arrangements. Additionally, the newly exposed lands would be needed to monitor the biological effectiveness of the drawdown.

Decommissioning or drawdown of the four reservoirs would create a 225.3-kilometer (140-mile) long river corridor, with an estimated 5,573.4 hectares (13,771.6 acres) of dewatered land. Through informal discussions at meetings with Federal, state and local agencies, it is felt that it would be prudent for the Corps to retain the responsibility to manage the lands until such time as it is determined that drawdown is permanent and recommissioning is no longer viable. In addition, restoration of the previously submerged lands would likely be needed, and it is anticipated that any decommissioning legislation would provide restoration funding. If reservoir drawdown is found to be biologically effective, it is assumed that the drawdown would become permanent and the lower Snake River dams deauthorized.

It is anticipated that public control of a significant portion of the project lands would be necessary to protect the environment and natural benefits to the salmon derived from reservoir drawdown. Should any lands no longer be required for the public benefit, they would be reported to the General Services Administration (GSA) for disposal. The GSA would screen these lands with other Federal agencies to determine whether other Federal requirements pertain to the property. If not, GSA would then dispose of the lands to other public or private entities or individuals.

Table ES-1. Acreages

		Ice Harbor	Lower Monumental	Little Goose	Lower Granite	Grand Totals
		Curren	t Acreage Based On Co	orps Acquisition or	Excessing Actions	
Fee		6,717.1	10,210.9	10,227.3	11,707.5	
Public Domain		759.6	347.7	272.0	254.8	
Easement		440.8	28.4	0.5	66.0	
Riverbed		5,122.0	3,517.0	5,185.0	5,640.0	
License					0.1	
Permit					0.2	
	Total	13,039.5	14,104.0	15,684.8	17,668.6	60,496.9
Normal Operating Pool (msl)		437 ft	Acreage Based on 540 ft	Normal Operating 638 ft	738 ft	
Acreage Above		4,037.7	9,143.6	4,859.6	9,220.4	27,261.3
Acreage Below						
Riverbed		5,122.0	3,517.0	5,185.0	5,640.0	19,464.0
Land		3,879.8	1,443.4	5,640.2	2,808.2	13,771.6
	SubTotal	9,001.8	4,960.4	10,825.2	8,448.2	33,235.6
	Total	13,039.5	14,104.0	15,684.8	17,668.6	60,496.9

1. Introduction

On March 2, 1995, the National Marine Fisheries Service (NMFS) issued a Biological Opinion establishing hydrosystem measures needed for the survival of Snake River salmon stocks listed under the Endangered Species Act. As a result, the U.S. Army Corps of Engineers (Corps) has undertaken this feasibility study to evaluate certain initiatives that may increase the survival and recovery of juvenile salmon as they migrate through the four Corps-operated lock and dam systems on the lower Snake River. Proceeding upriver from its mouth, these include the Ice Harbor, Lower Monumental, Little Goose and Lower Granite facilities.

With technical assistance and input from a broad spectrum of regional participants, this study focuses upon four alternatives considered to offer opportunities for improving salmon migration. They include: 1) existing conditions, 2) maximum transport of juvenile fish, 3) major system improvements, and 4) dam breaching. Once a thorough examination of these alternative actions has been completed, final recommendations will be made as appropriate. Real estate involvement is not anticipated under the above mentioned alternatives 1, 2, and 3, as any programmatic or structural modifications will likely be confined to facility operational areas within Corps jurisdiction and not impact lessees or other grantees. Accordingly, this appendix will concentrate on alternative 4), dam breaching and the associated real estate ramifications that it might present.

2. Historical Data

The Lower Snake River Project was authorized by the Rivers and Harbors Act of 1945 (Public Law 79-14) on March 2, 1945, in accordance with House Document 704, 75th Congress, 3rd Session. That legislation enabled construction of the four lock and dam facilities that now create an inland waterway between Lewiston, Idaho and the Columbia-Snake River confluence near Pasco, Washington. The dams were to provide slackwater navigation, hydropower, recreation, and incidental irrigation.

2.1 Ice Harbor Lock and Dam—Lake Sacajawea, WA

The first of the four-dam series to be constructed on the Lower Snake River Project, Ice Harbor Dam, is located 15.6 kilometers (9.7 miles) upstream of the Columbia-Snake River confluence and approximately 19.3± kilometers (12± miles) east of Pasco, Washington. Construction started in 1955, operation began in 1961 and the project was completed in 1971. Records indicate that Ice Harbor encompasses 5,277.1± hectares (13,039.5± acres), with 3,643.1± hectares (9,001.8± acres) lying below the normal operating pool elevation of 133.2 meters (437 feet), mean sea level. An accounting of land acquisition and disposal is tabulated in Table 2-1 below.

Table 2-1.	Ice Harbor	Land Acquisition	and Disposal

Acreage	Acquired	Disposed	Current	
Fee	8,354.3	1,637.2	6,717.1	
Public Domain	837.9	78.3	759.6	
Easement	485.9	45.1	440.8	
Riverbed 1/	5,122.0	0	5,122.0	
Lease	7.7	7.7		
Total	14,807.8	1,768.3	13,039.5	

^{1/} Drawing down the reservoirs will expose an estimated 5,573.4± hectares (13,771.6± acres) of currently inundated fee/public domain land that lie between the ordinary high water line of the original riverbed and the normal operating pools. The state-owned riverbed holds 7,877.1± hectares (19,464± acres) and was not acquired by the Government. Rather, it is utilized for facility purposes pursuant to navigational servitude.

Source: Walla Walla District Real Estate Database

2.2 Lower Monumental Lock and Dam—Lake Herbert G. West, WA

The second of the four-dam series, Lower Monumental Dam is located about 72.5± kilometers (45± miles) northeast of Pasco, Washington and 67 kilometers (41.6 miles) above the river mouth. Construction began in 1961, operation began in 1969 and the project was completed in 1976. Today, Lower Monumental encompasses 5,708± hectares (14,104± acres), of which 2,007.4± hectares (4,960.4± acres) lie below the normal operating pool elevation of 165 meters (540 feet), mean sea level. An accounting of land acquisition and disposal is tabulated in Table 2-2.

Table 2-2. Lower Monumental Land Acquisition and Disposal

Acreage	Acquired	Disposed	Current	
Fee	12,427.0	2,216.1	10,210.9	
Public Domain	363.5	15.8	347.7	
Easement	55.9	27.5	28.4	
Riverbed 1/	3,517.0	0	3,517.0	
Lease	2.2	2.2	0	
Total	16,365.6	2,261.6	14,104.0	

Source: Walla Walla District Real Estate Database

2.3 Little Goose Lock and Dam—Lake Bryan, WA

The third of the four-dam series, Little Goose Dam is about 64.4± kilometers (40± miles) north of Walla Walla, Washington and 113.1 kilometers (70.3 miles) above the river mouth. Construction started in 1963, operation began in 1970 and the project was completed in 1976. Little Goose encompasses 6,348± hectares (15,684.7± acres), of which 4,381± hectares (10,825.2± acres) lie below the normal operating pool elevation of 194.5 meters (638 feet), mean sea level. An accounting of land acquisition and disposal is tabulated in Table 2-3.

Table 2-3. Little Goose Land Acquisition and Disposal

Acreage	Acquired	Disposed	Current	
Fee	12,347.5	2,120.2	10,227.3	
Public Domain	353.7	81.7	272.0	
Easement	.5	0	.5	
Riverbed 1/	5,185.0	0	5,185.0	
Total	17,886.7	2,201.9	15,684.8	

^{1/} Drawing down the reservoirs will expose an estimated 5,573.4± hectares (13,771.6± acres) of currently inundated fee/public domain land that lie between the ordinary high water line of the original riverbed and the normal operating pools. The state-owned riverbed holds 7,877.1± hectares (19,464± acres) and was not acquired by the Government. Rather, it is utilized for facility purposes pursuant to navigational servitude.

Source: Walla Walla District Real Estate Database

2.4 Lower Granite Lock and Dam, WA

The furthest upstream and last of the four-dam series, Lower Granite Dam is located about 53.1± kilometers (33± miles) downstream from Lewiston, Idaho at river mile 107.5. Construction started in 1965, operation began in 1975 and the project was completed in 1979. Lower Granite encompasses 7,150.5± hectares (17,668.6± acres), of which 3,418.9± hectares (8,448.2± acres) lie below the normal operating pool elevation of 225 meters (738 feet), mean sea level. An accounting of land acquisition and disposal is tabulated in Table 2-4. A summary of acreages for the four dam sites is shown in Table 2-5.

Acreage	Acquired	Disposed	Current	
Fee	12,881.4	1,173.9	11,707.5	
Public Domain	254.8	0	254.8	
Easement	86.5	20.5	66.0	
Riverbed	5,640.0	0	5,640.0	
Lease	17.4	17.4	0	
License	.1	0	.1	
Permit	.2	0	.2	
Total	18,880.4	1,211.8	17,668.6	

Table 2-4. Lower Granite Land Acquisition and Disposal

Source: Walla Walla District Real Estate Database

2.5 Land Acquisition Costs

After subtracting past disposal actions, the following schedule (Table 2-6) reflects the net amount paid by the Government for those project land interests that are currently held. (Not included are any dollars that might have been attributed to Public Domain land value or to acquisition administration.)

Updating the values of all existing project land interests is not considered to be crucial to this study. (Given the age of each facility and the market changes that have occurred over the years, it is reasonable to assume that current values have *substantially* increased.) More relevant are the administrative costs to the Government associated with options for disposition of project real estate after implementing a reservoir drawdown. These costs will be developed and explained further in this Appendix.

^{1/} Drawing down the reservoirs will expose an estimated 5,573.4± hectares (13,771.6± acres) of currently inundated fee/public domain land that lie between the ordinary high water line of the original riverbed and the normal operating pools. The state-owned riverbed holds 7,877.6± hectares (19,464± acres) and was not acquired by the Government. Rather, it is utilized for facility purposes pursuant to navigational servitude.

Table 2-5. Acreage Summary

						Grand
		Ice Harbor	Lower Monumental	Little Goose	Lower Granite	Totals
		Current	Acreage Based On Corp	os Acquisition or 1	Excessing Actions	
Fee		6,717.1	10,210.9	10,227.3	11,707.5	
Public Domain		759.6	347.7	272.0	254.8	
Easement		440.8	28.4	0.5	66.0	
Riverbed		5,122.0	3,517.0	5,185.0	5,640.0	
License					0.1	
Permit					0.2	
	Total	13,039.5	14,104.0	15,684.8	17,668.6	60,496.9
			Acreage Based on N	ormal Operating	Pool	
Normal Operating Pool (msl)		437 ft	540 ft	638 ft	738 ft	
Acreage Above		4,037.7	9,143.6	4,859.6	9,220.4	27,261.3
Acreage Below						
Riverbed		5,122.0	3,517.0	5,185.0	5,640.0	19,464.0
Land		3,879.8	1,443.4	5,640.2	2,808.2	13,771.6
	SubTotal	9,001.8	4,960.4	10,825.2	8,448.2	33,235.6
	Total	13,039.5	14,104.0	15,684.8	17,668.6	60,496.9

Table 2-6. Balance—Original Costs of Remaining Land Interests

	\$	
Ice Harbor Lock & Dam	644,765	
Lower Monumental Lock & Dam	3,512,109	
Little Goose Lock & Dam	3,712,822	
Lower Granite Lock & Dam	14,256,061	
Total (1950s & 1960s dollars)	22,125,757	
Source: Walla Walla District Real Estate Datab	ase	

3. Drawdown Measures

A drawdown to natural river conditions would require decommissioning the existing projects and a new authorization from Congress. Decommissioning would give rise to two options for the future of the four Lower Snake River facilities: full or partial dam removal.

3.1 Partial Dam Removal

This scenario assumes a permanent drawdown. The concrete portions of the dams would be retained and the embankment portion of the dam breached. Further use of the facilities for commercial navigation or hydropower would be impossible. While the drawdown engineering team has investigated the possibility of mothballing the remaining facilities, it was determined that it would not be economical to save the equipment within the concrete structures. Therefore, the dam and attending structures that remain would be abandoned in place.

3.2 Full Dam Removal

This option would involve complete removal of all facilities. The dams would be breached in the embankment sections, and the river would be diverted temporarily around the remaining dam structures until they were also removed. Removal of the dam structures would include: actions to dewater the demolition site, significant explosive and impact demolition, excavation, and transportation of equipment and waste materials to designated waste and storage areas. Although the study team concluded that leaving the concrete dam facilities in the river would be the major action selected for the implementation plan, the team did develop a concept for demolition and removal of the existing dam structures in Appendix D.

4. Disposition of Lands Under Project Decommissioning

4.1 Land Disposition

Under project decommissioning, project lands would be retained to monitor and maintain the biological effectiveness of reservoir drawdown. Although project lands would no longer be required for commercial navigation or hydropower, a significant portion would arguably be needed to meet other existing or newly authorized purposes. For example, significant acreage is leased to state and local governments and private entities for recreation or fish and wildlife management. It is expected that many of these lessees will choose to continue their operations under the same or modified arrangements. It is also anticipated that public control of a significant portion of project lands will be necessary to protect the environmental and natural benefits to the salmon derived from reservoir drawdown. Restoration of previously submerged lands will likely be required. It is expected that any reauthorizing legislation would include provisions to meet the above concerns. Should any lands no longer be required, they would be reported to the General Services Administration (GSA) for disposal. GSA would screen the lands with other Federal agencies to determine whether there is another Federal requirement for the property. If not, GSA would then dispose of the lands to other eligible public or private entities or individuals.

4.2 Lands Previously Conveyed for Public Port and Industrial Purposes

Under the authority of Section 108 of Public Law 86-645, the Secretary of the Army has previously conveyed lands in fee to various port districts for operation of port and industrial facilities in connection with the four navigation facilities. The enabling legislation required that the lands be conveyed at fair market value. It further restricted the use to port and industrial purposes only. A drawdown to natural river conditions will in most cases make the use of the lands for these limited purposes impractical. Therefore, it is expected that any legislation implementing a reservoir drawdown will release the deed restrictions or otherwise address this potential inequity.

5. Real Estate Actions

In order to fully appreciate the required real estate administrative actions (and costs) arising from drawing down the 225.3 kilometer (140-mile) reach of the lower Snake River, it is first necessary to provide a discussion of what these actions entail.

5.1 Grantee Notification

It will be necessary to provide written notification of the pending drawdown to all parties (grantees) who have been granted the right to utilize project real estate. They will be advised of the schedule and procedure for drawdown and given other information to help them assess likely impacts to the rights under their outgrants. They will also be furnished the address and telephone numbers of Real Estate Division personnel in order to direct any questions or concerns regarding possible impacts and alternatives. Currently there are an aggregate 291 outgrants, i.e., leases, permits, licenses, easements (including deed reservations), etc., that are administered by the Corps on the four lower Snake River facilities.

The following tabulation (Table 5-1) provides a breakdown of the number and types of those outgrants by facility. Their locations are identified on the plates accompanying this appendix. While not all of the outgrants will be affected by drawdown, it will be necessary to screen each of them for possible amendment, relinquishment, or termination depending upon the specific uses and agreements involved.

5.2 Reserved Rights

In certain instances, various rights were reserved by landowners when their property was acquired by the Government for the facilities. Examples of these reserved rights are cattle watering corridors, water pipelines, and the like. In the event of drawdown, it will be necessary in some cases to amend or terminate the rights that were reserved in the land acquisition deeds.

- 1. As referenced in PL 79-14, House Document 704, 75th Congress, 3rd Session authorized the Secretary of the Army to acquire lands to accommodate construction of the Lower Snake River Project. The land acquisition process involved extensive negotiations which resulted in some sellers reserving certain rights to use the land in perpetuity.
- 2. The impacts to holders of reserved rights will be evaluated in this report. In the event that the Lower Snake River Hydropower Project is returned to the original free flowing river, the following real estate actions may be taken to facilitate mitigation of the losses to the previous landowners:
 - a. Obtaining right-of-entry permits from land owners contiguous to the Government facility boundary to authorize the Government to enter upon private land to construct facilities to mitigate for the losses, i.e., drilling wells to provide livestock water.

Table 5-1. Outgrants on the Four Lower Snake River Facilities

Ice Harbor		
Easements	50	
Leases	30	
	1	
Licenses		
Permits	4	
Subtotal	58	
Lower Monumental		
Easements	47	
Leases	3	
Licenses	1	
Permits	13	
Subtotal	64	
Little Goose		
Easements	20	
Leases	8	
Licenses	3	
Permits	7	
Subtotal	38	
Lower Granite		
Easements	101	
Leases	19	
Licenses	2	
Permits	9	
Subtotal	131	
Total Outgrants	291 ^{1/}	

^{1/} This represents a total from a specific point in time. The dynamic nature of the outgranting process (i.e., ongoing new actions, expirations, etc.) will cause the actual number to fluctuate.

Source: Walla Walla District Real Estate Database

- b. In consideration for the mitigation to be performed by the Government, the affected owners would be required to execute quitclaim deeds to relinquish the rights that the original owners had previously reserved.
- c. The processing of quitclaim deeds would require an Environmental Baseline Study (EBS) to verify that there are no environmental concerns present in the reserved areas. Completion of the EBS would entail a records search to verify past uses and the potential for remedial actions to be taken for the site. In addition, a site survey would be required to document the physical condition of the area. Any remediation (i.e., hazardous waste cleanup) required for the areas that were reserved in the deeds would be the responsibility of the previous land owner.

5.3 Park and Recreation Leases

The 1944 Flood Control Act (16 U.S.C. § 460d) authorized the Secretary of the Army to enter into leases at water resource development facilities for recreational development and other public uses. The leases are normally granted for a term of 25 years to a state or political subdivision thereof, i.e., county, city or port authority, at no cost with the consideration being the development, operation and maintenance of the facilities. (The one commercial concession lease to a private party at Ice Harbor, is for a 10-year term with rent payable under the revised graduated rent system and based upon a percent of the gross receipts.)

During the month of January 1998, a letter was sent to all Corps park and recreation lessees to advise them of the potential for reservoir drawdown. Under a drawdown premise, they were asked what impacts they would anticipate, how they would alter their operations, would they continue to operate any of the facilities, etc. Based upon their individual responses, the following actions were developed:

- 1. Amending leases to expand or delete the lease boundaries to accommodate the reduction or expansion of the facilities. As examples, a reduction would be to close a marina or swimming area and an expansion would be to extend or relocate a boat launching ramp.
- 2. Generally, leases may be relinquished by the lessee by giving a 1-year written notice to the issuing office. If the lessee elects to relinquish the lease back to the Government, a negotiated termination would be involved.
- 3. A termination of the lease would involve completion of an EBS to compare the condition of the leased premises at the time the lease was issued to the time at which it was terminated. Completion of the EBS would require a records search to verify any past uses and potential for or remedial actions taken for the site. In addition, a site survey would be required to document the physical condition of the area. Any required remediation would be the responsibility of the lessee, as required by the leases.
- 4. A termination of the lease would also involve completion of an Inventory and Condition Report. This report is a list of both the real and personal Government property that was originally made available with the lease. This process would require a comparison of the condition of the

- Government property, both real and personal, that was originally granted under the lease to that which was inventoried at the time of termination. Any discrepancies would most likely result in a negotiated settlement.
- 5. In the event that a termination would occur by relinquishment from the lessee, an effort would be made to solicit a new lessee to operate the facilities. Due to declining funds for operation and maintenance programs, the Government may close park and recreation facilities if a lessee could not be obtained.

5.4 Easements

By the authorities contained in 42 U.S.C. § 961, 10 U.S.C. § 2668 and 10 U.S.C. § 2669 the Secretary of the Army is authorized to grant easements at water resource development facilities for various purposes including roads, utilities, pipelines and pumping plants. The term is commensurate with the use, but normally ranges from 25 years to perpetuity.

Real Estate work effort required to address easement issues will involve the following:

- Amending easement deeds to expand the easement boundaries to accommodate relocation or
 extension of the facilities. Many facilities will not be affected, but intakes for pumping plants
 may need to be extended to the original free flowing river, in which case the easement would be
 amended. In the event that a facility needs to be relocated, the existing easement would be
 terminated and a new one issued.
- 2. Any expansion or relocation of facilities would involve completion of an EBS to verify the condition of the existing area and to evaluate the expanded or relocated area. Completion of the EBS would require a records search to verify any past uses and potential for or remedial actions taken for the site. In addition, a site survey would be required to document the physical condition of the area. Any remediation required for the areas presently under easement would be the responsibility of the grantee.

5.5 Acquire Rights-of-Entry or Other Agreements to Perform Mitigation on Private Lands

This will involve negotiation of agreements with affected property owners to perform mitigation outside of the Lower Snake River Hydropower Project lands. Examples would be drilling new domestic water wells to replace those that may go dry, negotiating with the States of Washington and Idaho to construct boat launch facilities below the banks of the free flowing river, and installing irrigation pumps, piping and related facilities to enable continued irrigation of an estimated 14,974 hectares (37,000 acres) above Ice Harbor Dam. Once the mitigation measures have been identified and authorized for implementation, the following real estate actions would be required:

- 1. Identify and locate the property owners and negotiate the mitigation measures required to compensate them for their losses
- 2. Process right-of-entry permits to enter upon private land and perform the mitigation work

- 3. Negotiate agreements with the States of Washington and Idaho to construct facilities extended below the banks of the free flowing river
- 4. Due to drawdown to a free flowing river, it will likely become necessary to acquire additional lands for mitigation purposes
- 5. Any work conducted outside of existing project boundaries will require the completion of an EBS. The EBS would require a title search to verify any past uses by previous owners that would indicate the potential for or remedial actions to be taken for the site. In addition, a site survey would be required to document the physical condition of the area.
- 6. Various measures are discussed in this feasibility report as methods to mitigate for the anticipated impacts to certain individuals and entities as a result of a drawdown to natural river conditions. The Corps is not authorized to perform many of these mitigation measures.

5.6 Relocation Contracts

In some instances, it will become necessary to enter into relocation contracts for alteration or replacement of structures affected by the drawdown. The Real Estate involvement would include participation in the negotiations to help assure that the contracts are in compliance with pertinent laws and regulations, and for exchanges of rights-of-way, if necessary.

6. Administrative Cost Development

6.1 Cattle Watering Corridors

During real estate acquisition of the four lower Snake River facilities, Government acquisition deeds reserved to certain riparian owners the right to allow livestock passage over specified routes to the river. (A single reservation may involve multiple routes.) These reservations are perpetual and cannot be unilaterally terminated. If drawdown is implemented, continued livestock access will be incompatible with salmon recovery efforts. In order to mitigate for removing the corridors as a water source, the Government could recommend drilling solar powered upland wells on affected property owners' land. Accordingly, the real estate recommendation is to obtain rights-of-entry for constructing the wells and, in exchange for providing this alternative water source, request that the landowners quitclaim all existing deed reservations to the Government. The estimated real estate administrative costs for the foregoing actions are tabulated below. Because some of the corridor relinquishments are anticipated to result in condemnation proceedings, those costs are allowed for in the totals in Table 6-1.

Table 6-1. Real Estate Costs for Mitigation of Discontinued Livestock Passage

No. of Deed		
Facility	Reservations	Administrative Cost
Ice Harbor	7	\$ 70,000
Lower Monumental	17	170,000
Little Goose	11	110,000
Lower Granite	6	60,000
Total	41	\$410,000

Source: Walla Walla District Real Estate Database

6.2 Public Park and Recreation (PPR) Leases

The real estate administrative costs for this type of outgrant arise from either modifying an existing lease document, issuing a new lease, or processing a relinquishment if the lessee opts to discontinue its operation. Many of the actions associated with these alternatives are similar in scope and cost. Most of the PPR leases will be impacted. Accordingly, the estimated administrative costs arising from processing them in one of the foregoing ways are tabulated in Table 6-2.

Table 6-2. Real Estate Costs for Processing Public Park and Recreation (PPR) Leases

Facility	No. of PPR Leases	Administrative Cost	
Ice Harbor	1*	\$ 6,000	
Lower Monumental	2	12,000	
Little Goose	2	2,000	
Lower Granite	8	48,000	
Total	13	\$78,000	

*Commercial concession

Source: Walla Walla District Real Estate Database

6.3 Pump Stations and Appurtenances

Drawing down the four lower Snake River reservoirs will impact the ability of water users to irrigate vast areas of cropland, wildlife habitat and recreational areas. Consequently, outgrant agreements will be subject to relinquishment or appropriate modification. Overall scope and costs are similar for either alternative. In many cases, several pumping operators who occupy a single platform hold subleases with the primary grantee. (These agreements are between the parties themselves and not subject to Government administration.) The estimated real estate administrative costs for those outgrants which are affected by drawdown are tabulated in Table 6-3.

Table 6-3. Real Estate Costs for Modifying Pump Station and Appurtenance Agreements

Pipeline Outgrants	
i ipenne outgrants	Administrative Cost
12	\$48,000
0	0
0	0
2	8,000
14	\$56,000
	0 0 2

Approximately 14,974 hectares (37,000 acres) of cropland along Ice Harbor are irrigated by water withdrawn from Lake Sacajawea. Once drawdown is implemented, many farmers will lose the ability to pump from their existing river locations. One solution advanced by the engineering appendix attending this study is to construct a large common pumping station at a deep water upstream location along with a 17,038± meter (55,900± foot) pipeline capable of continued delivery of up to 19.3 cubic meters (680 cubic feet) per second to the affected irrigators. (See the Engineering Appendix D, Annex O for the proposed alignment and additional specifications.) The pipeline would require a corridor width of about 30.5 meters (100 feet) for construction, operation and maintenance. About 8,534.4 meters (28,000 feet) of its alignment 8.3 kilometers (5.3± miles) would lie outside of the existing facility boundary and affect at least 8 irrigators. The pipeline would also cross the Union Pacific Railroad in two places and cross the Snake River at two other locations.

As previously stated, the proposed solution would provide a substitute point of withdrawal and related water pipelines/facilities to serve approximately 8 irrigators whose existing pumping ability will be impacted by drawdown. It is assumed that if Congress authorized and funded construction, the replacement facilities and rights-of-way would be turned over at no cost to the benefiting irrigators for operation and maintenance. This would require that an association, corporation, or other entity be formed with legal authority to contract with the Government concerning the rights and responsibilities associated with the ownership, operation and maintenance of the facilities. The Government would need to enter into a Memorandum of Agreement with the legal entity to formalize the rights and obligations of the parties prior to real estate acquisition or construction. After construction, the Government would quitclaim the facilities and rights-of-way to the legal entity including necessary rights-of-way over facility lands.

It is anticipated that the Government would secure the necessary real estate rights to accommodate this initiative. It is assumed that rights-of-entry for construction would be obtained from the benefiting irrigators at no cost. It is recommended that licenses be obtained from the railroad for the two pipeline crossings. A license or similar agreement from Washington Department of Natural Resources is proposed for the two river crossing locations, and a pipeline easement would be required for the two areas under the jurisdiction of the Washington Department of Parks. The estimated real estate administrative costs for this initiative are tabulated in Table 6-4.

Table 6-4. Real Estate Costs for Pumping Station and Pipeline to Irrigators

Item (Ice Harbor only)	Administrative Cost	
Rights-of-entry (8), MOA negotiation	\$40,000	
Railroad licenses (2 locations)	25,000	
WA Dept. of Parks easement (2 locations)	5,000	
Quitclaim deed & easement processing	10,000	
Total	\$80,000	
Source: Walla Walla District Real Estate Database		

6.4 Structure Modification and Protection

According to the Engineering Appendix attending this study, long term drawdown will create the need for modification/protection of affected structures along the four-reservoir reach. (That appendix also cites specific locations and outlines recommended remedies.) Broadly stated, such initiatives would include stabilizing 25 bridge features, protecting 51 embankment reaches, and modifying 500 drainage structures. While no real estate acquisition is anticipated for any of these measures, there would be administrative costs associated with participating in relocation contract negotiations, securing any temporary rights (i.e., licenses, permits, etc.) for working on off-facility properties, and extinguishing abandoned rights-of-way, if any. For planning, the estimated number of private/public owners involved and the corresponding real estate administrative costs are tabulated in Table 6-5.

6.5 Off-Facility Domestic Wells

A review of well logs indicates that approximately 180 domestic water wells lie along the 225.3-kilometer (140-mile) drawdown reach. Of those, about 39 percent will be negatively affected by drawdown, requiring them to be completely redrilled. Real estate involvement could entail securing rights-of-entry for construction from an anticipated 71± off-facility well owners within 1.6 kilometers (1 mile) from the facility boundary (assumed for planning to be one owner per well). The estimated real estate administrative costs for this activity are tabulated in Table 6-6.

6.6 Utility Crossings and Effluent Lines

A total of three utility crossings and effluent lines have been identified which may be modified/protected by the respective grantees themselves. All work should take place within the existing easement corridors. Real estate will be a participant in the relocation contract negotiations attending each crossing. The administrative costs for that activity are broken down in Table 6-7.

Table 6-5. Real Estate Costs for Structure Modification and Protection

Facility	No. of Owners	Administrative Cost	
Bridges			
Ice Harbor	0	\$ 0	
Lower Monumental	3	15,000	
Little Goose	2	10,000	
Lower Granite	7	35,000	
Subtotal	12	\$60,000	
Embankment Protection			
Ice Harbor	2	\$ 10,000	
Lower Monumental	2	10,000	
Little Goose	2	10,000	
Lower Granite	2	10,000	
Subtotal	8	\$ 40,000	
Drainage Structures			
Ice Harbor	5	\$ 10,000	
Lower Monumental	5	10,000	
Little Goose	6	12,000	
Lower Granite	9	18,000	
Subtotal	25	\$ 50,000	
Overall Total, Structure Mo	dification and Protection:	\$150,000	
Source: Walla Walla District R	Real Estate Database		

Table 6-6. Real Estate Costs for Rights of Entry for Construction of New Domestic Wells

Facility	No. Rights of Entry	Administrative Cost	
Ice Harbor	28	\$ 84,000	
Lower Monumental	15	45,000	
Little Goose	15	45,000	
Lower Granite	13	39,000	
Total	71	213,000	

Table 6-7. Costs for Relocation Contract Negotiations

Facility	No. of Crossings	Administrative Cost
Ice Harbor	0	\$ O
Lower Monumental	1	1,000
Little Goose	0	0
Lower Granite	2	3,500
Total	3	\$ 4,500
Source: Walla Walla District	Real Estate Database	

6.7 Summary

Administrative costs are direct federal costs related to real estate actions that would result from drawdown. They do not include any costs for modification, relocation, and replacement of facilities.

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7. Recapitulation of Real Estate Administrative Costs

Table 7-1 contains a breakdown of the costs cited previously on a facility by facility basis.

Table 7-1. Real Estate Administrative Costs by Facility

Page 1 of 2

	Administrative Cost
Ice Harbor	
Cattle watering corridors	\$ 70,000
PPR leases	6,000
Pump stations/appurtenances	128,000
Structure modification/protection	20,000
Off-facility wells	84,000
Utility crossings	0
Total	\$308,000
Contingency 20%	61,600
Facility total	\$369,600
Lower Monumental	
Cattle watering corridors	\$170,000
PPR leases	12,000
Pump stations/appurtenances	0
Structure modification/protection	35,000
Off-facility wells	45,000
Utility crossings	1,000
Total	\$263,000
Contingency 20%	52,600
Facility total	\$315,600
Little Goose	
Cattle watering corridors	\$110,000
PPR leases	12,000
Pump stations/appurtenances	0
Structure modification/protection	32,000
Off-facility wells	45,000
Utility crossings	0
Total	\$199,000
Contingency 20%	39,800
Facility total	\$238,800

Table 7-1. Real Estate Administrative Costs by Facility

Page 2 of 2

	Administrative Cost	
Lower Granite		
Cattle watering corridors	\$ 60,000	
PPR leases	48,000	
Pump stations/appurtenances	8,000	
Structure modification/protection	63,000	
Off-facility wells	39,000	
Utility crossings	3,500	
Total	\$221,500	
Contingency 20%	44,300	
Facility total	\$265,800	
Grand Total All Facilities (1998 dollars):	\$1,189,800	

NOTE: The contingency percentage that has been applied to the above real estate administrative costs reflects grantee notification and processing the myriad outgrants not specifically cited (After drawdown, these miscellaneous impacted areas will become more readily apparent). It also reflects the cost of securing blanket licenses from the States of Washington and Idaho to enable work in the original riverbed to construct cofferdams and extend pipelines and boat launch facilities.

Source: Walla Walla District Real Estate Database

8. Recommendations

In the event that Congress authorizes decommissioning of the four lower Snake River facilities and the reservoirs are drawn down, it is recommended:

- a. That the Corps of Engineers retain jurisdiction over the land holdings throughout the biological evaluation process. This would avoid the additional time and expense required to reacquire the land and would preclude any incompatible uses of the land during this interim period.
- b. That authority be granted (and funds made available) to acquire any additional real estate rights which may become necessary for the salmon recovery program and to manage the existing outgranting program in accordance with sound real estate practice. As the recordsholding agency, the Corps of Engineers is best suited to manage and mitigate impacts to existing grantees and otherwise administer project lands during the evaluation phase.
- c. That the Government, subject to Congressional authorization and funding appropriations, and to the extent reasonably possible, mitigate impacts to holders of existing outgrants and reserved rights by providing substitute rights-of-way and replacement or relocation of facilities.
- d. At the request of the port commissions, that deed restrictions on lands previously conveyed for public port and industrial purposes be conditionally released or amended as necessary since reservoir drawdown may render such uses impractical.
- e. In the event of deauthorization of the four Lower Snake River facilities, that new authority be given to the Corps of Engineers to retain and manage sufficient lands to provide for an ecosystem corridor to ensure the viability of the salmon recovery program, and that the quantity and use of the lands to be retained for this purpose will be coordinated with regional stakeholders, including NMFS, the U.S. Fish and Wildlife Service, Tribes, Washington Department of Fish and Wildlife, and the Idaho Department of Fish and Game.
- f. That, at Ice Harbor, the replacement water withdrawal facilities and rights-of-way be turned over at no cost to an as yet to be determined legal entity for ownership, operation, and maintenance.
- g. If Congress authorizes natural river drawdown and decides to compensate members of the public as they did for certain damages resulting from the 1992 Lower Granite drawdown test, it is recommended that the compensation, authorization, and appropriations be enacted prior to the actual drawdown events. This would allow baseline information to be gathered, claim procedures to be developed and the process to be expedited.

h. In the event that dam breaching is authorized and funds and resources were made available, a real estate plan and associated gross appraisal would be required. This would be done in conjunction with the detailed design report referenced in section 3.4 of the FR/EIS.

9. Glossary

Alternative 1 – Existing Conditions – The existing hydrosystem operations under the National Marine Fisheries Service's 1995 and 1998 Biological Opinions. The Corps would continue to increase spill and manipulate spring and summer river flows as much as possible to assist juvenile salmon and steelhead migration. Juvenile salmon and steelhead would continue to pass the dams through the turbines, over spillways, or through the fish bypass systems. Transportation of juvenile fish via barge or truck would continue at its current level.

Alternative 2 – Maximum Transport of Juvenile Salmon – The existing hydrosystem operations plus maximum transport of juvenile salmon, without surface bypass collectors. The number of juvenile fish transported via barge or truck would be increased to the maximum extent possible.

Alternative 3 – Major System Improvements – The existing hydrosystem operations and maximum transport of juvenile salmon, but with additional major system improvements (such as surface bypass collectors) that could be accomplished with dam breaching.

Alternative 4 – Dam Breaching – Natural river drawdown of the four lower Snake River reservoirs.

Dam Breaching – In the context of the Lower Snake River Salmon Migration Feasibility Report/Environmental Impact Statement, dam breaching involves removal of the earthen embankment section at Lower Granite and Little Goose, and formation of a channel around Lower Monumental and Ice Harbor.

Drawdown – In the context of the Lower Snake River Salmon Migration Feasibility Report/Environmental Impact Statement, drawdown means returning the lower Snake River to its natural, free-flowing condition via dam breaching.

Habitat Management Units (HMUs) – Sixty-two parcels of land scattered along the river and reservoirs purchased and managed by the Corps as mitigation for the land that inundated as a result of the dams and reservoirs. These HMUs are managed to replace hunting, fishing, and recreation opportunities lost as a result of inundation as well as to benefit and provide for wildlife that lost habitat to inundation.

Irrigation - Artificial application of water to usually dry land for agricultural purposes.

Lower Snake River Hydropower Project – The four hydropower facilities operated by the Corps on the lower Snake River: Lower Granite, Little Goose, Lower Monumental, and Ice Harbor dams.

Minimum Operating Pool – The bottom one foot of the operating range for each reservoir. The reservoirs normally have a 3-foot to 5-foot operating range.

Mitigation – To moderate or compensate for an impact or effect.

Navigation – Method of transporting commodities via waterways; usually refers to transportation on regulated waterways via a system of dams and locks.

Pumping stations – Facilities that draw water through intake screens in the reservoir and pump water uphill to corresponding distribution systems for irrigation and other purposes.

Recovery – The process by which a ecosystem is restored so it can support self-sustaining and self-regulating populations of listed species as persistent members of the native biotic community. This process results in improvement in the status of a species to the point at which listing is no longer appropriate under the Endangered Species Act.

Riparian – Ecosystem that lies adjacent to streams or rivers and is influenced by the stream and its associated groundwater.

Survival – The species' persistence beyond the conditions leading to its endangerment, with sufficient resilience to allow for potential recovery from endangerment. The condition in which a species continues to exist into the future while retaining the potential for recovery.

ANNEX 1 REAL ESTATE DRAWINGS

Real Estate Drawings

The following real estate drawings are a supplement to this appendix and are provided to depict pertinent informational data for the four lower Snake River facilities. The drawings are sequential, commencing at the lowest downstream facility, Ice Harbor, and continuing upstream to Lower Granite.

The key features to note are as follows:

- Vicinity of the dams
- Project boundary lines
- Original free flowing river delineation
- Normal operating pool elevation delineation
- River mile locations
- State and county boundaries
- Section, township and range data
- Real estate outgrants
- Reservations contained in the land acquisition deeds
- Recreation sites
- HMU sites

